

**TOWN OF HAMILTON
BOARD OF SELECTMEN
JULY 25, 2016**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, July 25, 2016 with Vice Chair Bill Wilson, Jeff Hubbard, Allison Jenkins present. Town Manager Michael Lombardo, Director of Planning and Inspections Patrick Reffett, Town Moderator Jennifer Scuteri also present.

Call to order

Bill Wilson called the meeting to order at 7:03 p.m.

Public Comment

None.

Chairman/Selectmen reports

Jeff Hubbard described productive meeting that he had with HDC President Brian Stein and merchants' group leader Don Robinson about downtown improvements. Also that the FinCom is focusing on Town Accountant/Finance Director hire as well as Town audit that has been delayed. In addition, Seth Moulton will be at the Hamilton American Legion on Sunday, July 31. The Legion will have a sunset cruise on Saturday, August 13. Allison Jenkins had a quiet week and did not report.

Bill Wilson noted that there is no update from HWRSD. He reported on the Affordable Housing Trust meeting where review was done on Town owned sites to identify any potential sites for affordable housing. There are some downtown locations near public transportation honing in near the public safety building. More due diligence will occur on conceptual discussions. Also discussed by AHT was potential large properties in Town. The Zoning Board of Appeals continued its July meeting to August. The Board of Health needs an additional member. He acknowledged the Safe Kids program that rewards kids using crosswalks, using crossing signals and wearing bicycle helmets.

Wilson provided an update for Shawn Farrell where the Planning Board made a favorable recommendation to abbreviated site plan review for Little League dug outs and bleachers (this will be reviewed by ZBA as well). The Planning Board discussed an ANR for 173 and 175 Woodland Meade for land trade relative to land survey. In addition, Harborlight Community Partners is waiting for feedback from the Town for

next steps on Longmeadow Way. There is potential to move forward with Phase 1 which consists of 28 units on one parcel. The Planning Board is on draft 10 of zoning by-law rewrite which consultant predicts could be completed in four weeks (there is a \$10,000 reserve to complete rewrite). The Conservation Commission addressed 1 Surrey Lane enforcement order. Deadlines for CPA project applications are: August 3, 2016 to submit project eligibility application for STM, August 11, 2016 CPC will review applications, September 2, 2016 to submit funding applications for STM, and CPC will review on September 22, 2016.

Discussion was on 18 month vacancy on Board of Health and that board's responsibilities such as review and set policies (i.e., banning single film plastic bags in Hamilton's retail/food establishments), mosquito spraying, public health issues and concerns, and keeping of animals by-law.

Town Manager's report

Town Manager Michael Lombardo reported that absentee ballots are now available at the Town Clerk's office for fall election. Construction of the Bridge Street culvert has begun and will run through September, traffic is reduced to one lane so expect delays throughout the summer. The plaster and tiling has been completed at the Patton Park pool and it was filled with water (150,000 gallons was purchased and trucked in) on Friday. One more inspection is needed on septic system field and plumbing will be completed. The two buildings are nearly done. The concrete needs to be poured on the front walk at drop off area. Landscaping and fencing remains to be done. An open house will occur and depending on staffing consideration will be given to keeping the pool open later than Labor Day.

The Town is in process of changing its health care plan on September 1, 2016. A meeting occurred with Employee Committee on insurance and an MOU was reached on mitigation fund (25% of first year savings are given back to employees – 1.2 months of a premium holiday).

The new assistant to the Town manager Anabella Batista started working for the Town this week. The Town Accountant/Finance Director recruitment closed last Friday after three weeks. The Town received 11 responses and Lombardo is reviewing resumes to determine candidates to interview.

A solar RFQ will be on the central register this week. Also mentioned was the Town does not have a contractual agreement with Brick Ends Farm regarding compost. The

Farm has been making 150 cubic yards of compost available to Hamilton and Wenham. The waste hauler Hiltz is cancelling its contract with the Town as of end of September 2016 and it was supposed to run through June 30, 2017. Legal review is being done. A scope of work and service is being done to solicit quotes from other trash hauling vendors along with Wenham. However, Wenham has weekly solid waste pick-up and Hamilton has bi-monthly solid waste pick-up. The Town is going to pay Brick Ends Farm directly for compost versus Hiltz.

Patrick Reffett update on meeting with DHCD

Director of Planning and Inspections Patrick Reffett reported on meeting that he attended with BOS Chair Scott Maddern, State Representative Brad Hill and other state officials affiliated with Department of Housing and Community Development. The discussion was on affordable housing in Hamilton and active pursuit of affordable housing in Town in a metered fashion targeting safe harbor numbers outlined in Housing Production plan (14 affordable units created a year).

The state officials were advised that Hamilton is reviewing Town owned properties and individual properties based on what they can accommodate in affordable housing. Also, that Harborlight Community Partners is pursuing a project in Town. In addition, that the Town is particularly interested in the non-profit working with Hamilton on senior housing since many residents are in demographic, and residents with larger properties that they can no longer maintain would like to continue to live in Town.

The DHCD typically likes communities to support family housing but is willing to work with Hamilton. Also, Hamilton is interested in a Host Community partnership agreement with Harborlight that would create a metered level of affordable housing rather than 100 units at a time.

To reach the 10% state quota for affordable housing in Town, Hamilton would need 284 units which would take a number of years to create. DHCD wants to help the Town but there is risk with affordable housing projects particularly those pursuing public funding. The goal is to create senior and family housing. DHCD is willing to visit Hamilton in the fall to compare notes.

Discussion addressed how the Town could get some safe harbor credit if it had more than the 14 units of affordable housing created per year (i.e., 28). The DHCD's goal is to create worker housing in the Commonwealth so families don't have to move to the mid-west or southeast. The state organization wants communities to create housing that

allows ordinary worker level income residents to stay in the Commonwealth. Reffett noted demographic of families on the North Shore that are strapped financially and are at lower income/poverty level.

He referred to the Town's Master Plan and North Shore Housing Consortium and dire need on the North Shore for family housing. Reffett reiterated goal to help seniors in Hamilton. Also mentioned was how HUD sets median income level based on census data and individual communities address the numbers.

Hubbard opined that the community developments being discussed do not fulfill Hamilton's community needs. He noted the lottery used for housing selection and the small number of Hamilton's seniors that would live in the units versus out of Town people given economic parameters. Reffett reported that income levels in Hamilton are based on what the Town's Housing Production plan illustrated as well as the updates from MAPC and All Boards meeting in May. There are residents in Town that could benefit from the proposed housing but there are state requirements. The local preference policy is 70%. Hubbard emphasized that the state's senior housing needs will be met not Hamilton residents' needs particularly those interested in downsizing based on income requirements.

In response to Hubbard who asked about if affordable units already created in Town would get Hamilton to a safe harbor position, Reffett said that the metered approach being pursued in a host community agreement is the creation of 14 to 15 units per year. This would be the preferable approach based on requirement number of 5% of overall 10% that allows a modest level of growth and allows the Town to protect itself with safe harbor provision so 150 unit project won't come to Hamilton. Reffett acknowledged that Hamilton is very sensitive to any level of growth as compared to other communities that take in 14 units per week. However, there is no defense or elimination of subsidized housing requirement imposed on 351 cities and towns in the state.

Jenkins expressed interest in how the Town could correct its demographics and had spoken to HUD about removing seasonal units from the demographics which would move Hamilton further toward safe harbor percentage. Notably residents at Gordon Conwell Theological Seminary and Asbury Grove where there are not year round residents. GCTS is not in session in the summer but census responses from seasonal households skews Hamilton's numbers.

Reffett reported that DHCD was positive about the friendly interaction between Town and Harborlight Community Partners relative to Longmeadow Way project and project eligibility letter.

Bob Curry, Bay Road, inquired about host community partnership agreement and status with HCP. Reffett has asked HCP what it would like to see in a working agreement so the Town can respond to what it would like to see in a working agreement. For example, the developer would provide for metered level of affordable units over time to reach safe harbor number so the Town can catch up with affordable housing but not all at once (i.e., 150 units). A coordinated agreement to advance development of units.

In response to Hubbard, Reffett said he had not seen a metered approach used where money would be required from the community. He added that the developer is in the business of developing while the Town is not in the business of giving money. Jenkins opined that if the two entities negotiate together hopefully they would work better together. Reffett concurred and noted added benefit with DHCD where community is creating positive success toward the target number then larger affordable housing developers would not have a favorable PEL submitted and accepted by the state. It was noted that the use of Town property could be an advantage for Hamilton.

Consent Agenda

Wilson read the following items:

- Approve minutes of June 27, regular session meeting
- Attached roster of constables and poll workers

Hubbard moved to approve the consent agenda. Jenkins seconded the motion. VOTE: Unanimous.

Agenda

- Municipal Aggregation – Public Hearing

At spring Town Meeting voters authorized BOS to research, develop and implement an aggregation program and enter into contract with a competitive supplier of electricity. The objective of the program is to lower the cost of electricity, gain lower price stability, and offer more renewable energy options.

Wilson entertained a motion to open the public hearing. Hubbard so moved. Jenkins seconded the motion. VOTE: Unanimous.

The public comment period was open for longer than the required 14 days and no comments have been received. Information on the aggregation program was placed at the Town Hall, Senior Center and HW Library for review. Online information was put on the Town's website and publicized through Hamilton's social media.

John O'Rourke from Good Energy described how the initial promotion through MAPC is for a special aggregation model which mirrors the 2015 model for City of Melrose and contains 5% additional green energy. A model pioneered with Mass. Energy Consumer Alliance has an additional 5% green energy at an affordable rate. MAPC held a competitive process for towns in its service area where it selected Good Energy. The program lowers electricity prices for residents and encourages development and financing of renewable energy projects in Mass. so it has an economic and environmental impact. In the fall there will be an aggregation of 150,000 households. There is an aggregation currently occurring in Plymouth and Bristol counties.

In the Northeast Load Zone in the next couple of years the capacity charges are going to go up substantially. The aggregation could reduce the increase and stabilize rates (especially important for residents on fixed incomes). It would be advantageous for Hamilton to participate in the aggregation with the other MAPC communities since the more households the better chance of getting a better price for electricity. There is a standard product (5% green). Residents can either go with the standard product with no 5% or elect for 100% green energy. Residents can opt out of the program if they so choose.

The process from here on is for the Town to vote to submit plan to the Dept. of Energy Resources and Dept. of Public Utilities who review the plan. Once the plan is approved it goes out to competitive bid and the Town decides whether or not to accept the bid. If the bid is accepted all residents and businesses in Hamilton on basic service of National Grid go through a 30-day opt out period. Residents will receive a letter and decide within 30 days whether or not they want to be in the program. A reply card will be included in the mailing which has to be sent in if a resident decides to opt out of the program.

For individuals who are already participating in energy programs aside from the utility, these people are not contacted since they have decided to go with a competitive supplier. Once they are out of their contract and want to participate in the aggregation

they can contact Good Energy. National Grid customers would be contacted. Each municipality has autonomy regarding aggregation plans. Discussion was on how National Grid and Eversource do not make money on electricity supply, they only make money on distribution, transmission and maintenance of the infrastructure. Good Energy's fee comes from the supplier. The average bill is expected to go down by 10% over the year. The billing is from National Grid, the only change will be supplier name.

Wilson entertained a motion to accept the petition as written (which will be certified by the Town Clerk). Hubbard so moved. Jenkins seconded the motion. VOTE: Unanimous.

It was noted that Good Energy has a website, videos, FAQs and a marketing plan that will be used to educate residents about the aggregation program.

- Citizen Petition Guidelines – discuss final draft and consider adoption

Discussion ensued about how the content is comprehensive so a visual flow chart and forms would be added to streamline understanding of the process.

Wilson entertained a motion to adopt the guidelines as written with the understanding that the Town Moderator and Selectman Jenkins will follow-up and amend or add flow chart and forms. Hubbard so moved. Jenkins seconded the motion. VOTE: Unanimous.

- Animal Control By-law

Lombardo reported on a formal complaint from a resident regarding noise from a neighbor's rooster. This was referred to the Board of Health for discussion. Lombardo noted that he has received a few complaints about roosters in the last nine months. This type of complaint is not covered under the noise by-law but would fit under the Animal Control by-law. Two citizens have considered a petition and they would work amicably with the BOS. A change could occur in preparation for fall Town Meeting. A citizen letter received is asking for consideration to amend the animal control by-law. This could include banning roosters and tom turkeys outright which some towns have done, and other municipalities specify audible noise within a certain number feet of a property line.

Discussion was on how there is no practical need for a rooster and some are kept as pets. Hubbard opined about noises causing uncomfortable situations between neighbors (i.e., incessant dog barking, loud playing of music). Lombardo noted how barking dogs are covered under the Animal Control by-law but it is limited. The noise

by-law excludes animal noises. Also mentioned was that roosters are noisy all day long. Jenkins stated that she is interested in Lombardo coming back with more information about a Town Meeting warrant article addressing whether or not there should be a ban on roosters in Town. She has received two calls about rooster nuisance, and noted that more people in Town are keeping chickens. Lombardo stated that rooster crowing is difficult to enforce by the police since it is intermittent versus an incessantly barking dog. Lombardo has also received a complaint from a neighbor about an abandoned house.

- Town Manager Goals – ongoing discussion of draft goals

Discussion was on how Lombardo will respond in writing regarding Board member comments on goals received from BOS. He added that goals are best when there are dates (quarterly) associated with them. However, there are external factors that are not within his control that can impact timing. Wilson will consolidate Board feedback and email to the manager. The review process was agreed to as once a year. Lombardo agreed that the review document format could be refined to apply to the Town. Wilson concurred that it could be more constructive. Hubbard concurred with Jenkins comments and noted that he had printed out the job description. Lombardo will follow-up with Board members after receiving consolidated document from Wilson.

Jenkins inquired about if IT support person Andy Wood could be asked to opine on how the BOS could electronically collaborate on Board documents (i.e., GoogleDocs). Lombardo will review how Board comments can be consolidated electronically (i.e., Dropbox) while remaining in compliance with Open Meeting Law.

New Business

- Consideration of topics for future Selectmen's meetings

Future topics include FinCom and letter to the HWRSD, filling Town Accountant/Finance Director position, and keeping the Town audit on track. Russ Tanzer, 100 Ortins Road, gave the Board preliminary drawings for the COA property and public safety building site for affordable housing in Town. Also, any warrant items for fall Town Meeting (i.e., Town Hall renovation).

In addition, residents will be notified about how the composting program is evolving. A discussion should occur on the Town's waste hauling program since Hamilton is

looking for another vendor. Bricks End Farm employee spoke to how each resident is entitled to a bag full of compost (1 cubic foot) as part of the program.

Another topic is the cellular telephone tower project and the Town should be receiving documents from vendor soon. No complaints have been received so far about traffic associated with Bridge Street culvert project.

Wilson entertained a motion to adjourn at 8:33 p.m. Hubbard so moved. Jenkins seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____

Clerk